

RESOLUTION NO. A-_____

USE PERMIT NO. 64A

1 WHEREAS, Kensington Corporation has submitted an application in
2 accordance with Section 27.31.100 of the Lincoln Municipal Code designated as Use
3 Permit No. 64A for authority to amend Kensington Office Park to add a ground sign in
4 the front yard setback on property along Old Cheney Road between South 14th and
5 South 16th Streets, and legally described to wit:

6 Lots 2-6, Block 1, Lincoln Industrial Park South and Lots 1
7 and 2, and Outlot "A" and "B", Kensington Office Park
8 located in the Southwest Quarter of Section 12, Township 9
9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster
10 County, Nebraska;

11 WHEREAS, the real property adjacent to the area included within the site
12 plan for this ground sign will not be adversely affected; and

13 WHEREAS, said site plan together with the terms and conditions
14 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
15 Municipal Code to promote the public health, safety, and general welfare.

16 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
17 Lincoln, Nebraska:

18 That the application of Kensington Corporation, hereinafter referred to as
19 "Permittee", to on the property legally described above be and the same is hereby
20 granted under the provisions of Sections 27.31.100 and 27.69.046 of the Lincoln
21 Municipal Code upon condition that construction and operation of said ground sign be
22

1 in strict compliance with said application, the site plan, and the following additional
2 express terms, conditions, and requirements:

3 1. This permit approves the development of 137,018 square feet of
4 office and retail space as shown on the approved site plan and a waiver of the front
5 yard setback from 50 feet to 30 feet along Old Cheney Road for a pad site ground sign.

6 2. The Permittee shall relocate the ground sign at Permittee's own
7 cost and expense in the event the South 14th Street, Old Cheney Road, and Warlick
8 Blvd. intersection improvement study requires street intersection improvements in the
9 vicinity of the ground sign.

10 3. Before receiving building permits:

11 a. The Permittee must submit a revised and reproducible final
12 plan of the entire use permit area.

13 b. The construction plans must conform to the approved plans.

14 4. Before occupying any of this development all development and
15 construction must be completed in conformance with the approved plans.

16 5. All privately-owned improvements shall be permanently maintained
17 by the owner or an appropriately established property owners association approved by
18 the City Attorney.

19 6. The site plan approved by this permit shall be the basis for all
20 interpretations of setbacks, yards, locations of buildings, location of parking and
21 circulation elements, and similar matters.

1 7. The terms, conditions, and requirements of this resolution shall be
2 binding and obligatory upon the Permittee, its successors and assigns. The building
3 official shall report violations to the City Council which may revoke this use permit or
4 take such other action as may be necessary to gain compliance.

5 8. The Permittee shall sign and return the City's letter of acceptance
6 to the City Clerk within 30 days following approval of this use permit, provided, however,
7 said 30-day period may be extended up to six months by administrative amendment.
8 The City Clerk shall file a copy of the resolution approving this use permit and the letter
9 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
10 the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant